

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

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TERESA L. DEPPNER
Clerk Of Court

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Room 2303
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Bluefield, WV 24701
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May 6, 2015

Harold L. Cyrus #43634
Mount Olive Correctional Complex
One Mountainside Way
Mount Olive, WV 25185

Re: Harold L. Cyrus v. David Ballard, Warden,
Civil Action No. 1:12-9341

Dear Mr. Cyrus:

The Court is in receipt of your letter dated May 4, 2015 inquiring as to the status of the above-referenced civil action, specifically, your response to Respondent's Motion for Summary Judgment and supporting Memorandum (hereafter referred to as "dispositive motion"), and any reply thereto. I have enclosed an up-to-date copy of the civil docket sheet for your reference and will address your inquiry below.

As you know, Respondent filed his dispositive motion and supporting memorandum on November 7, 2014. By Order and Notice entered on November 14, 2014, Magistrate Judge R. Clarke VanDervort set a deadline of December 15, 2014 within which you may file a response and a deadline of December 29, 2014 within which Respondent may file a reply, if any. Thereafter, you timely filed your response in opposition to the dispositive motion on December 15, 2014. It appears that Respondent has chosen to not file a reply in this regard.

The Court now considers Respondent's dispositive motion ready for decision. Magistrate Judge VanDervort will, in the near future, prepare his Proposed Findings and Recommendation ("PF&R) for disposition. After a period of time set by the Court within the PF&R, the parties may file an opposition thereto should they choose to do so. Lastly, the Honorable David A. Faber, United States District Judge, will review the record in its entirety and enter a final judgment in the case.

I hope the information I have provided has proven helpful to you.

Very truly yours,

TERESA L. DEPPNER, CLERK OF COURT

By: Aleta R. Barie
Aleta R. Barie, Case Administrator

Enclosure: Docket Sheet for Civil Action No. 1:12-9341